

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
WINCHESTER DIVISION

TRISTAN TISCHER,	)	
	)	
<i>Plaintiff,</i>	)	Case No.: 4:24-cv-00016-DCLD-CHS
	)	JURY DEMANDED
vs.	)	
	)	
CITY OF DECHERD, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

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**REPORT OF THE PARTIES' PLANNING MEETING**

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**1. Rule 26(f) Participation.** The following persons participated in a Rule 26(f) conference on December 19, 2024 by telephone conference:

Michael T. Schmitt, representing the defendants

Tristan Tischer, *pro se* plaintiff

**2. Synopsis of the Case.** This is a wrongful arrest and discrimination case brought pursuant to the First, Fourth, and Fifth Amendments to the United States Constitution. Plaintiff asserts that he was unlawfully pulled over for a traffic violation, and then arrested for exercising his rights protected by the First and Fifth Amendments. Defendants Chambers and Sparr assert the affirmative defense of qualified immunity arguing their actions did not violate clearly established law. Further, plaintiff's conviction for one of the moving violations with which he was charged establishes probable cause for the initial stop. Finally, the City of Decherd asserts that the alleged violations were not the result of a city policy, practice, or custom and therefore it cannot be liable.

**3. Initial Disclosures.** The parties will complete by January 20, 2025 the initial disclosures required by Rule 26(a)(1).

**4. Discovery Plan.** The parties propose a basic discovery plan. The parties have already exchanged an initial set of written discovery and will schedule depositions after written discovery is complete.

(a) Discovery will be needed on these subjects: liability and damages.

(b) Dates for commencing and completing discovery are set forth in the scheduling order.

(c) The maximum number of interrogatories by each party to another party is 30 and responses shall be due 30 days from the date listed on the certificate of service.

(d) There is no maximum number of requests for admission. Responses shall be due 30 days from the date listed on the certificate of service.

(e) There are no maximum number of depositions each party can conduct, although not many depositions are expected.

(f) Depositions are limited to 7 hours.

(g) Reports of expert witnesses shall be provided by the disclosure deadlines set out in the scheduling order.

(h) Supplementations under Rule 26(e) shall occur by the discovery deadline.

(i) The parties do not anticipate they will be requesting disclosure or production of substantial information from electronic or computer-based media.

**5. Amending Pleadings.** Any motion to amend the pleadings shall be filed on or before January 31, 2025.

**6. Dispositive motions.** The deadline for filing dispositive motions shall be set out in the scheduling order.

## 7. Other Items:

(a) Settlement prospects are being addressed by the parties; defendants have made an offer which has been rejected. Settlement prospects will continue to be addressed by the parties moving forward.

(b) The estimate of trial length is two to three days, and the parties recommend a trial date on or after October 2025.

Submitted By:

/s/ Michael T. Schmitt  
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*Pro se Plaintiff*